

To: Jenkins, Laura Flynn[Jenkins.Laura@epa.gov]
Cc: Logan, Paul[Logan.Paul@epa.gov]; Vallejos, Cinna[vallejos.cinna@epa.gov]; R8 GKM Leadership Team[R8_GKM_LeadershipTeam@epa.gov]; Sisson, Ann[Sisson.Ann@epa.gov]
From: Card, Joan
Sent: Thur 5/26/2016 3:57:43 AM
Subject: Re: GKM Claims Status

We haven't been doing claims updates on the website.

Joan Card
Senior Policy Advisor
Region 8

Sent from my EPA iPhone

On May 25, 2016, at 8:42 PM, Jenkins, Laura Flynn <Jenkins.Laura@epa.gov> wrote:

Thanks, will this info also be put on the website along with the CA info? If so, I can let Monica know it will be posted. If not, I can send her an update when you have it.

Regards,

Laura Jenkins

Media Officer

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On May 25, 2016, at 9:35 PM, Logan, Paul <Logan.Paul@epa.gov> wrote:

<image002.jpg>

Laura, I understand that the state of New Mexico may have submitted tort claims on Monday, the same day that the state sued EPA. I'm copying Ann Sisson in OGC to ask about the most current status of tort claims, as it's possible that there are now more claims.

I did not include Monica Sheets, from the state of Colorado, on this email.

Paul Logan

Acting Regional Counsel | EPA Region 8

303.312.6854 | logan.paul@epa.gov

From: Jenkins, Laura Flynn
Sent: Wednesday, May 25, 2016 2:32 PM
To: Monica Sheets <monica.sheets@state.co.us>
Cc: Vallejos, Cinna <vallejos.cinna@epa.gov>; R8 GKM Leadership Team <R8_GKM_LeadershipTeam@epa.gov>
Subject: GKM Claims Status

Monica:

Cinna Vallejos forwarded your inquiry to me on the status of Gold King Mine-related claims. I need to get updated numbers on reimbursements under the cooperative agreements but I do have a recent update on Tort claims.

As of May 11, there were 66 Federal Tort Claims Act (FTCA) claims related to Gold King Mine. This total include a group of 9 claims received on 05/02/16. This group of 9 claimants, represented by the same law firm (Will Ferguson & Associates), are asking for a grand total of \$900 million (specifically, \$100 million per claimant). Prior to the claims submitted by this group of 9 claimants, the grand total of the previous 57 GKM claims was slightly under \$5 million.

EPA's Claims Officer has been reviewing the results of the evaluations into the Gold King Mine incident and researching the legal parameters. For these types of claims, the Agency is required by regulation to consult with the Department of Justice, and EPA has been doing so. The EPA Claims Officer, together with officials in the Department of Justice, will determine whether the FTCA provides a means of compensating claims for money damages arising from the Gold King Mine incident. **To date, no determination has been made regarding claims submitted to the EPA.** As a general matter, claims must be presented to the EPA within 2 years after the claim accrues. A person may amend the claim at any time prior to reaching a settlement with the EPA.

If you have any further questions, please feel free to contact me.

Thanks,

Laura Jenkins

Media Officer

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